



Stephen N. Haughey

Member

513.651.6127 (t)

SHAughey@fbtlaw.com

May 1, 2015

Ms. Leslie Patterson, RPM
U.S. EPA Region 5
77 W. Jackson Blvd, Mail Code SR-6J
Chicago, IL 60604-3590

Via Overnight Mail

Re: Response of Flowserve Corporation to U.S. EPA's Special Notice Letter for the
South Dayton Dump Site in Moraine, Ohio

Dear Ms. Patterson:

On behalf of Flowserve Corporation, this letter responds to the above-referenced special notice letter.

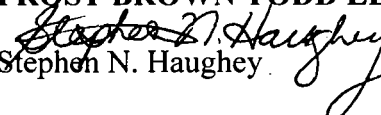
As you may know, Flowserve is one of numerous defendants in the CERCLA cost-recovery/contribution litigation that is pending in federal court in Dayton, Ohio, captioned as *Hobart Corporation et. al., v. Dayton Power & Light Company et. al.*, Case No. 3:13-cv-115, U.S. District Court, Southern District of Ohio, Western Division (Rice, J.). In the two years that discovery has been underway in the case, Flowserve has not uncovered any documents, nor discovered recollections from any retired or former employee, indicating that Flowserve's predecessor (The Duriron Company) ever disposed, directly or indirectly, of any waste, hazardous or otherwise, at the site. Nor in the numerous depositions taken in the case during the last two years has a single retired or former driver for any Dayton-area hauler testified that the driver or his company ever hauled wastes for Duriron to the site. As a result, Flowserve continues to question the basis for the belief that the Company is potentially liable under CERCLA for response costs incurred at this site.

For this reason, Flowserve respectfully declines U.S. EPA's invitation to participate in negotiations to enter into a consent order to perform a modified/amended RI/FS for the site and reimburse the Agency for past unreimbursed costs. If the Agency has information that indicates that Flowserve is potentially liable under CERCLA at this site, please provide it to me immediately so that I can evaluate its potential impact on Flowserve's response.

Please express my appreciation to Mr. Nash for the additional time to respond to the special notice.

Very truly yours,

FROST BROWN TODD LLC


Stephen N. Haughey

cc: Rob Roberts, Global Litigation Counsel
Thad Driscoll, FBT

3300 Great American Tower | 301 East Fourth Street | Cincinnati, OH 45202-4182 | 513.651.6800 | frostbrowntodd.com
Offices in Indiana, Kentucky, Ohio, Tennessee and West Virginia
0018815.0607565 4850-9895-5555v1